

**BOX AF**  
**RESPONSE UNDER 37 C.F.R. 1.116**  
**EXPEDITED PROCEDURE**  
**EXAMINING GROUP 3764**

**PATENT**  
 Attorney Docket No. 101.0053-00000  
 Customer No. 22882

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*#29 / Amended D (NE)*

In re Application of:

Gary K. Michelson

Serial No.: 08/480,908

Filed: June 7, 1995

For: THREADED FRUSTO-CONICAL  
 INTERBODY SPINAL FUSION  
 IMPLANTS

Group Art Unit: 3764

Examiner: M. Brown

Assistant Commissioner for Patents  
 Washington, D.C. 20231

Sir:

**REPLY TO OFFICE ACTION AND REQUEST**  
**FOR WITHDRAWAL OF IMPROPER FINALITY**

In reply to the improper Final Office Action dated July 16, 2001, Paper No. 26,  
 please amend the application as follows:

**IN THE CLAIMS:**

Please cancel claims 120 (both occurrences) without prejudice or disclaimer of  
 their subject matter and amend the claims (with the changes as shown in the  
 attachment) as follows:

40. (Twice Amended) The spinal fusion implant of claim 39 in which said internal  
 chamber is capable of containing fusion promoting material.

02/19/2002 STORNTD 00000007 501066 08480988

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